IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

CRP.No. 1465 of 2004()

AGAINST THE ORDER DATED 28/07/2004 IN IA 371/04 IN OS.94/2002 of MUNSIFF-MAGISTRATE COURT,MANNARKAD
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REVN. PETITIONER: PETITIONER

NAFEESA, AGED 44 YEARS, D/O.MOIDUNNI,
THARAYIL AKAYIL, AVIYOOR DESOM,
EDAKKAZHIYUR AMSOM CHAVAKKAD, THRISSUR, NOW RESIDING AT "C BROTHERS", THRIKKALUR AMSOM DESOM,
CHIRAKKAL PADI, MANNARKKAD TALUK, PALAKKAD.

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENT/RESPONDENT:

ABDUL SALAM, THARAYIL AKAYIL,
AVIYOOR DESOM, EDAKKAZHIYOOR AMSOM,
CHAVAKKAD, THRISSUR.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.R.RAMAN,J

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C.R.P.No.1465 of 2004

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Dated this the 18th day of July,2007

ORDER

This Civil Revision Petition is filed against the order passed in I.A.371/2004 in O.S.94/2002 of the Munsiff Magistrate Court, Mannarkkad. The petitioner was the plaintiff in the suit for dissolution of marriage under the Dissolution of Muslim Marriage Act. The suit was dismissed on 31.1.2004. Thereafter, present application was filed contending that the court has not considered all the grounds urged in the plaint and according to the petitioner the judgment is to be reviewed. The court find that even if it is assumed that the decision rendered is erroneous Order 47 Rule 1 do not permits rehearing of it. When the point urged is not considered, certainly it may be open to the parties to bring to the notice of the court about the non consideration of the point, omitted to be considered. I am not going to the merits of the contention since the petitioner has already preferred an appeal against the decree and judgment passed by

the court below it is open to urge such contention available under law including whether there is omission in considering any point by the trial court. Subject to the above observation, Civil Revision Petition is dismissed.

P.R.RAMAN,JUDGE

dvs